

Non-mineral is a term used in the laws and regulation concerning mill sites. So what does this mean and what minerals does it apply to? To understand non-mineral it is best to look at what is meant by land that is mineral in character. Mineral character is if known conditions are such as to reasonably engender the belief that the land contains locatable mineral of such quality and quantity as to render its extraction profitable, and justify expenditures to that end. This can be predicted upon geologic conditions, nearby discoveries, and observable conditions. You'll remember the term noncontiguous appears in the laws recording mill sites. If a mill site borders a lode or placer claim, this may engender a belief that the mill site could be on land that is mineral in character. However, the mineral deposit may play out short of the border line of the nearby lode or placer claim. A mill site can be located on lands where leasable minerals are also present. Authorized officials can consider multiple development as per the provisions of 43 CFR 3000.7. For example, a building operation could take place within an established oil and gas field as long as there were suitable stipulations for such simultaneous operations. A mill site can be located on lands where mineral materials such as sand, gravel and stone are located. Surficial deposits of mineral materials are generally available for use by mill site and tunnel site locators. The BLM may sell or permit the removal of mineral materials from mining claims as well as tunnel and mill sites if doing so does not materially interfere with mining or milling operations, and the claimant provides a waiver for such disposal. As you go into the next exercise, recall that mill sites should be on land that is non-mineral. Think of it as the opposite of land which is mineral in

character for locatable minerals. Locatable minerals are those which are the minerals for which placer claims and lode claims are located. Much more reading about locatable minerals, and what is meant by mineral and non-mineral land is available in a mining law monograph which is posted to a shared drive, I will let you know about later. When you are ready, proceed to Exercise 3. In this exercise you'll be presented with three more scenarios whereby you will determine if the situation is mineral or non-mineral. When you are finished with exercise, proceed to the next section on use and occupancy.